

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON DECEMBER 14, 2009, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT, ROBERT L. PROUD, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 220-09/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **220-09** resolving to approve payment to vendors **in the revised total amount of \$5,076,086.41** as set forth in the General Ledger Distribution Report(s) and Procurement Card Transaction Report presented by the County Auditor 12/14/09 and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 221-09/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **221-09** resolving to approve payment to vendors included on the General Ledger Distribution Report(s) presented by the County Auditor 12/14/09 as reflected in the General Ledger Distribution Excerpt Report **in the amount of \$168.63**, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Abstained.

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...RESOLUTION NUMBER 222-09/RESOLUTION DESIGNATING THE COUNTY OF CLERMONT, OHIO RECOVERY ZONE FOR PURPOSES OF SECTIONS 1400U-1, 1400U-2 AND 1400U-3 OF THE INTERNAL REVENUE CODE OF 1986 AS AMENDED, AND ALLOCATING THE COUNTY'S RECOVERY ZONE ECONOMIC DEVELOPMENT BOND VOLUME CAP TO THE CLERMONT COUNTY TRANSPORTATION IMPROVEMENT DISTRICT...09-1022-004...ADOPTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **222-09** resolving to designate the County of Clermont, Ohio Recovery Zone, previously determined as the entire area of Clermont County, Ohio through the adoption of Resolution Number 201-09 by

the Board of Clermont County Commissioners on 10/28/09, for purposes of Sections 1400U-1, 1400U-2 and 1400U-3 of the Internal Revenue Code of 1986, as amended, and to allocate all of the County's Recovery Zone Economic Development Bond volume cap of \$5,927,000, as provided in IRS Notice 2009-50, to the Clermont County Transportation Improvement District.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...AGREEMENT WITH CLERMONT COUNTY CAPITOL INVESTORS, INC. (3CI) FOR LOBBYING/GOVERNMENTAL RELATIONS SERVICES IN AND AS IT RELATES TO ECONOMIC DEVELOPMENT FOR THE COUNTY OF CLERMONT, OHIO...09-1209-002...EXECUTED

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of David L. Spinney, County Administrator, to execute an Agreement by and between the Board of County Commissioners, Clermont County, Ohio, and the Clermont County Capitol Investors, Inc. (3CI), whose billing address is 175 East Main Street, Suite 150, Batavia, Ohio 45103, to enhance the County's economic development efforts through lobbying/governmental relations with federal, state and other governmental authorities, in the total amount of \$120,000.00, effective through 12/31/10, pursuant to the terms and conditions set forth therein and in compliance with Section 307.07 of the Ohio Revised Code and contingent upon the issuance of a purchase order therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Abstained.

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...AGREEMENT FOR ECONOMIC DEVELOPMENT SERVICES WITH THE ECONOMIC DEVELOPMENT CORPORATION OF CLERMONT COUNTY FOR THE PROVISION OF PLANNING, DEVELOPMENT, IMPLEMENTATION AND MANAGEMENT OF A STRATEGIC ECONOMIC DEVELOPMENT PROGRAM PLAN FOR CLERMONT COUNTY...09-1209-001...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of David L. Spinney, County Administrator, to execute an Agreement for Economic Development Services by and between the Board of County Commissioners, Clermont County, Ohio, and the Economic Development Corporation of Clermont County, 175 East Main Street, Suite 150, Batavia, Ohio 45103 for the provision of professional duties, services, and work necessary for planning, development, implementation and management of a strategic economic development program plan for Clermont County as outlined therein, at a cost not to exceed \$50,000.00, effective 01/01/10 through 12/31/10, pursuant to and in compliance with the terms and conditions set forth therein and contingent upon the issuance of a purchase order therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: OFFICE OF MANAGEMENT AND BUDGET...RESOLUTION TO AMEND AND CLARIFY THE REQUEST TO DISCONTINUE CODING OF THE WORKERS COMPENSATION FUND (814) CASH BALANCE AND AUTHORIZATION FOR THE CLERMONT COUNTY AUDITOR TO PROPERLY RECORD THE SAME...08-1107-003...RATIFIED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Sukie Scheetz, Director, Office of Management and Budget and Robert Sander, Director, Department of Human Resources, with the concurrence of David L. Spinney, County Administrator, that the Board of County Commissioners resolve to amend and clarify the request to discontinue the cash coding of the Worker's Compensation Rebate Funds, previously ratified by the Board of County Commissioners on 09/09/09, to further define the use of the Worker's Compensation Fund (814) balance as resources, not only for payment of claims, but for the payment of all costs of the Workers Compensation Program, which include the administration, as well as, payments for the premiums and claims.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: OFFICE OF MANAGEMENT AND BUDGET...RESOLUTION TO AFFIRM THE ALLOCATION METHOD TO CLERMONT COUNTY DEPARTMENTS OF THE TOTAL ANNUAL PAYMENTS TO THE OHIO BUREAU OF WORKERS COMPENSATION FOR THE PREMIUM AND CLAIMS ASSOCIATED WITH THE CLERMONT COUNTY WORKERS' COMPENSATION PROGRAM...09-1209-003...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Sukie Scheetz, Director, Office of Management and Budget and Robert Sander, Director, Department of Human Resources, with the concurrence of David L. Spinney, County Administrator, that the Board of County Commissioners resolve to affirm that the allocation to the Clermont County departments of the total annual county contribution as paid to the Ohio Bureau of Workers Compensation for the premiums and claims related to the Clermont County Workers' Compensation Program continue to be based upon loss experience and payroll, as a measure of relative exposure, in a 60% claims-40% payroll ratio in accordance with Section 4123.41 of the Ohio Revised Code without regard for the type of rating program the County may be enrolled in with the Ohio Bureau of Workers Compensation.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...LETTER OF ENDORSEMENT FOR A CLEAN OHIO PROGRAM GRANT APPLICATION BY THE CINCINNATI NATURE CENTER RELATIVE TO THE O'BANNON CREEK HABITAT PROTECTION PROJECT IN GOSHEN TOWNSHIP, CLERMONT COUNTY, OHIO...09-1210-001...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to execute the Letter of

Endorsement dated 12/14/09 relative to the Cincinnati Nature Center's Clean Ohio Program Grant Application for funding to be utilized for the acquisition of 55 acres for the O'Bannon Creek Habitat Protection Project located in Goshen Township, Clermont County, Ohio.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Abstained.

IN RE: BOARD OF COUNTY COMMISSIONERS...EXECUTION OF THE OHIO DEPARTMENT OF TRANSPORTATION'S FORM RE 95 TO IDENTIFY THE OWNERSHIP OF THE COUNTY'S UTILITY INFRASTRUCTURE IMPROVEMENTS ON PARCEL NUMBER 413105D138 RELATIVE TO THE OHIO DEPARTMENT OF TRANSPORTATION'S PROJECT CLE-275-10.15, PID 76289...09-1211-002...EXECUTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Scot Lahrmer, Assistant County Administrator, with the concurrence of David L. Spinney, County Administrator, to execute the Ohio Department of Transportation's Form RE 95 to identify the ownership of the County's Utility Infrastructure Improvements on Parcel Number 413105D138 relative to the Ohio Department of Transportation's Project CLE275-10.15, PID 76289.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION TO AUTHORIZE THE CONTINUATION OF EXPERT CONSULTING SERVICES WITH RIEDINGER CONSULTING IN THE CONTRACTUAL MATTER BETWEEN CLERMONT COUNTY, OHIO, AND LARRY SMITH CONTRACTORS, INC...09-1118-002...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to authorize the continuation of expert consulting services in accordance with the Agreement for Professional Services by and between the County of Clermont, Ohio, and Riedinger Consulting, 3030 Bridgeway Boulevard, Suite 118, Sausalito, California, 94965, previously ratified by the Board of County Commissioners on 11/18/09, for expert consulting services related to the damage claim in litigation pending between the Board of County Commissioners of Clermont County, Ohio and Larry Smith Contractors, Inc., as plaintiff, Case No. 2007 CVH 01848, Court of Common Pleas, Clermont County, Ohio, with those services as provided in the agreement at hourly rates not to exceed \$350.00 for the hours necessary to provide expert witness assistance in pending litigation, under the supervision of the Office of the Prosecuting Attorney, with all other terms and conditions of the original agreement to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: REQUESTS FROM VARIOUS DEPARTMENTS TO JOIN PROFESSIONAL ORGANIZATIONS AND AUTHORIZATION FOR REIMBURSEMENT OF ROUTINE TRAVEL EXPENSES RELATIVE

THERE TO...APPROVED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Requests from various departments to join professional organizations and to authorize payment of the annual dues in the amounts outlined below for membership therein, pursuant to Section 325.21 of the Ohio Revised Code and to authorize reimbursement of **routine travel expenses** associated therewith (*excluding expenses for overnight accommodations, meals for more than one day, registration fees, tuition, and/or transportation by common carrier*) pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2010 and any and all amendments subsequent thereto:

Elected Official or Department/Employee	Organization	Annual Dues	Term
County Coroner Brian Treon, M.D. DC# 09-1204-003	Ohio Coroner’s Association	\$2,048.00	01/01/10 through 12/31/10
	Ohio State Medical Association/Clermont County Medical Society	\$610.00	
County Coroner Darrell C. Hawkins DC# 09-1204-003	American Board of Medicolegal Death Investigator	\$40.00	01/01/10 through 12/31/10
	American Academy of Forensic Science	\$145.00	
	American College of Forensic Examiners	\$155.00	
	International Association Bloodstain Pattern Analysis	\$40.00	
	American Society for Industrial Security (ASIS) International	\$150.00	
	International Association of Arson Investigator	\$75.00	
County Coroner Deborah M. Hawkins DC# 09-1204-003	National Association of Medical Examiners	\$65.00	01/01/10 through 12/31/10
	American Board of Medicolegal Death Investigator	\$40.00	
Clermont County Municipal Court Judge Anthony W. Brock Judge James A. Shriver Judge Thomas R. Herman DC# 09-1211-001	Ohio Judicial Conference	\$300.00	01/01/10 through 12/31/10
	Association of Municipal/County Judges of Ohio, Inc.	\$450.00	
Clermont County Municipal Court Judge Anthony W. Brock Judge James A. Shriver Judge Thomas R. Herman Robert Lamb Rebecca Hudson DC# 09-1211-001	Ohio State Bar Association	\$1,165.00	01/01/10 through 12/31/10
Clermont County Municipal Court Judge Anthony W. Brock Judge James A. Shriver Judge Thomas R. Herman Rebecca Hudson DC# 09-1211-001	Clermont County Bar Association	\$400.00	01/01/10 through 12/31/10
Clermont County Municipal Court Robert Lamb DC# 09-1211-001	Ohio Association of Magistrates	\$125.00	01/01/10 through 12/31/10
Clermont County Municipal Court Stephanie Bohrer	Ohio Association for Court Administration	\$50.00	01/01/10 through 12/31/10

DC#09-1211-001			
----------------	--	--	--

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2009...APPROVED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2009 (Resolution Number 194-08) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009:

\$ (41,015.00)	General Fund Legislative & Executive Non-Recurring	100-1308-7000	Reimbursements/Transfers/ Advances
\$ 24,800.00	General Fund Facilities Management	100-1013-5200	Fringe Benefits
\$ 11,500.00	General Fund Administration Bldg Mail Room	100-1302-5200	Fringe Benefits
\$ 100.00	General Fund Coroner	100-4100-5200	Fringe Benefits
\$ 4,615.00	General Fund Jail Kitchen	100-4197-5200	Fringe Benefits
\$ 1,600.00	General Fund Sheriff Administration	100-4190-5112	Regular Salary
\$ (1,600.00)	General Fund Sheriff Administration	100-4190-5200	Fringe Benefits
\$ (7,000.00)	General Fund Jail Kitchen	100-4197-5112	Regular Salary
\$ (3,200.00)	General Fund Jail Kitchen	100-4197-5121	Overtime
\$ 500.00	General Fund Jail Kitchen	100-4197-5200	Fringe Benefits
\$ 24,700.00	General Fund Jail Corrections	100-4198-5112	Regular Salary
\$ 130,000.00	General Fund Jail Corrections	100-4198-5117	Bargaining Units Salary
\$ (137,500.00)	General Fund Jail Corrections	100-4198-5121	Overtime
\$ (31,000.00)	General Fund Jail Corrections	100-4198-5200	Fringe Benefits
\$ 1,500.00	General Fund Sheriff's Civil Division	100-4400-5117	Bargaining Units Salary
\$ 2,500.00	General Fund Sheriff's Civil Division	100-4400-5121	Overtime
\$ 3,500.00	General Fund Sheriff's Court Services	100-4401-5117	Bargaining Units Salary
\$ 16,000.00	General Fund Sheriff's Court Services	100-4401-5121	Overtime

\$ 100.00	General Fund Sheriff's Crime Lab	100-4402-5112	Regular Salary
\$ (100.00)	General Fund Sheriff's Crime Lab	100-4402-5121	Overtime
\$ 5,000.00	General Fund Sheriff's Investigations	100-4403-5117	Bargaining Units Salary
\$ (5,500.00)	General Fund Sheriff's Investigations	100-4403-5121	Overtime
\$ 37,000.00	General Fund Sheriff's Road Patrol	100-4404-5117	Bargaining Units Salary
\$ (32,000.00)	General Fund Sheriff's Road Patrol	100-4404-5121	Overtime
\$ (5,000.00)	General Fund Sheriff's Road Patrol	100-4404-5200	Fringe Benefits
\$ 500.00	General Fund Sheriff's Support	100-4405-5200	Fringe Benefits

REIMBURSEMENT OF FUNDS:

\$ 438.14	From Public Assistance Fund 204-6240-7220 to Children Services Fund 208-0208-4821
\$ 47,160.00	From Public Assistance Fund 204-6240-7220 to Children Services Fund 208-0208-4821
\$ 350,585.90	From Children Services Fund 208-6242-7220 to Public Assistance Fund 204-0204-4821
\$ 43,860.24	From Child Support Enforcement Administration Fund 228-6180-7220 to Public Assistance Fund 204-0204-4821

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

**IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF
EXPENSES RELATIVE TO SAME...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2009 and Fiscal Year 2010 and any and all amendments subsequent thereto:

**CLERMONT COUNTY COMMON PLEAS COURT/ADULT PROBATION
DEPARTMENT**

Ann Kruse: Three (3) days – Cincinnati, Ohio – Global Career Development Facilitator Instructor Training – Total expenses not to exceed \$60.00. *(revised/previously approved 11-16-09)*

CLERMONT COUNTY WATER RESOURCES DEPARTMENT

Lyle Bloom: One (1) day – West Chester, Ohio – Bricker and Eckler Seminar entitled “Key Contract Provisions and Project Delivery Considerations for Water and Wastewater Projects in Ohio” – Total expenses not to exceed \$0.00.

DEPARTMENT OF JOB AND FAMILY SERVICES

Brenda Gilreath and Jemina Ott: One (1) day - Lebanon, Ohio – Ohio Child Support Director’s Association Cincinnati District Meeting – Total expenses not to exceed \$60.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: TRAINING AND TRAVEL REQUEST...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...APPROVED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following request for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2010 and any and all amendments subsequent thereto:

BOARD OF COUNTY COMMISSIONERS

Edwin H. Humphrey: Six (6) days – Washington, D.C. – 2010 Annual National Association of Counties (NACo) Legislative Conference – Total expenses not to exceed \$2,600.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Abstained.

IN RE: PERSONNEL ACTION FORMS...APPROVED

* THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

LET THE RECORD SHOW: That a motion by Mr. Proud, seconded by Mr. Croswell, to approve the minutes of Regular Session of 12/14/09 carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: That the President of the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 2:27 P.M.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT
ROBERT L. PROUD, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 12/14/09